



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

August 21, 2014

BY ECF

The Honorable John G. Koeltl
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Julio Montano v. C. Enwereuzor, No. 14 Civ. 1345 (JGK)

Dear Judge Koeltl:

I write respectfully regarding the above-referenced *Bivens* action, in which the docket sheet reflects that defendant Enwereuzor was served with the summons and complaint on June 2, 2014, with a resulting stated deadline of August 25, 2014, to answer or otherwise respond to the plaintiff's complaint.¹ I understand that the defendant has requested representation by this Office, but his request has not yet been decided.

Because we do not currently represent the defendant in this matter and we have not been served, we respectfully request that the Court adjourn the August 25, 2014 deadline until September 26, 2014, when we hope to know whether this Office will represent the defendant. We reserve all rights and defenses.

This is the first request by this Office for an extension of time in this matter. We have not consulted the plaintiff, who is appearing *pro se*, regarding his consent to this request.

¹ This Office has not been served in accordance with Fed. R. Civ. P. 4(i)(3), which arguably means that defendant's time to answer is not yet running.

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Thank you for your consideration of this request.

Respectfully submitted,

PREET BHARARA
United States Attorney

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